

DFJ



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,647	01/08/2004	Edward Horn		7239

23982 7590 05/18/2005

APP ENGINES, LLC
1404 SUSSEX DRIVE
COLLEGE STATION, TX 77845

RECEIVED
OIPE/IAP

JUN 17 2005

EXAMINER

RICCI, JOHN A

ART UNIT PAPER NUMBER

3714

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

82.

Office Action Summary	Application No. 10/753,647	Applicant(s) HORN, EDWARD	
	Examiner John Ricci	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8,9,12,16,17 and 20-25 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-6,8,9 and 23-25 is/are allowed.
- 6) ☒ Claim(s) 12,16,21 and 22 is/are rejected.
- 7) ☒ Claim(s) 17 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Application/Control Number:
10/753,647
Art Unit: 3714

Page 2

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12, 16, 21, & 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Gasser 5,630,407.

Gasser shows a bow having a stabilizer 6; a base element 7 mounted to the riser; and legs 8, 9 mounted to stubs 14, 15 on the base element, the legs and stabilizer having ends 10 which define a plane. It would be possible for the legs 8, 9 and another bow component, such as a cam, to cooperate to form a tripod to support the bow; although Gasser does not describe the legs as a stand, the device of Gasser shows all structure claimed and could be used as a stand with no structural change.

* * * * *

Claims 1, 3-6, 8, 9, & 23-25 are allowed.

Claims 17 & 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten

Application/Control Number:
10/753,647
Art Unit: 3714

Page 3

in independent form including all of the limitations of the
base claim and any intervening claims.

* * * * *

THIS ACTION IS MADE FINAL. Applicant is reminded of
the extension of time policy as set forth in 37
CFR 1.136(a).

A shortened statutory period for reply to this final
action is set to expire THREE MONTHS from the mailing date
of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the
advisory action is not mailed until after the end of the
THREE-MONTH shortened statutory period, then the shortened
statutory period will expire on the date the advisory
action is mailed, and any extension fee pursuant to 37
CFR 1.136(a) will be calculated from the mailing date of
the advisory action. In no event, however, will the
statutory period for reply expire later than SIX MONTHS
from the mailing date of this final action.

* * * * *

Application/Control Number:
10/753,647
Art Unit: 3714

Page 4

This letter was prepared by Examiner John Ricci, who can be reached at:

Voice: 571-272-4429

Fax: Use 703-872-9306 for papers to be delivered directly to the mail room, like formal amendments and responses, change of address, power of attorney, petitions.


Use 703-783-0439 for papers to be delivered directly to the Examiner, like informal or proposed responses for discussion, or notes in preparation for an interview.

Response by Fax is encouraged to reduce mail processing time. Please don't send duplicate papers by mail and Fax.

My supervisor is Derris Banks, 571-272-4419.

PTO main switchboard: 800-786-9199.

Visit our Web site at www.uspto.gov.


JOHN RICCI
PRIMARY EXAMINER
ART UNIT 3714

TC3700 RANDOLPH

Organization Bldg./Room.
UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450
Alexandria, VA. 22313-1450
If Undeliverable Return In Ten Days

Official Business
Penalty For Private Use, \$300

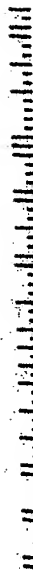
AN EQUAL OPPORTUNITY EMPLOYER



\$ 00.37⁹

Notified by e-mail
RECEIVED
JUN 1 9 2005

USPTO MAIL CENTER



77545+5347 01